IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 5805 of 2007(N)

PETITIONER:

N.K. JAYENDRAN, 48 YEARS,
S/O.LATE P.T. BALAKRISHNAN NAIR,
1/4536 A, OP.SANTHI NAGAR COLONY,
BILATHIKULAM, P.O.ERANHIPALAM,
KOZHIKODE.

BY ADV. SRI.T.R.RAVI
SRI.MURALI P.S.

RESPONDENTS:

BHARAT SANCHAR NIGAM LIMITED A
GOVERNMENT OF INDIA ENTERPRISE REPRESENTED BY
ITS SUPRINTENDING ENGINEER (P & A), OFFICE OF
CHIEF ENGINEER (CIVIL), 3RD FLOOR,
TRANSPORT BHAVAN, EAST FORT,
TRIVANDRUM-695 023.

BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL, SC,BSNL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 5805 OF 2007 N
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Dated this the 14th March, 2007

J U D G M E N T

Heard counsel for the petitioner and Standing Counsel for the respondents.

2. Challenge is to Exts. P6 and P7 orders by which the petitioner has been transferred from Calicut to Kannur.

3. The petitioner is a Senior Telecom Office Assistant in the service of the respondent-B.S.N.L. According to him, the order of transfer is not supported by any genuine ground and hence liable to be reviewed. Ext. P9 representation filed by the petitioner before the Superintending Engineer as also the Chief Engineer is pending consideration. He has pointed out in Ext. P9 that there are open vacancies in the Civil Circle, Calicut and that his request to provide him in any one of those vacancies shall have to be considered by the Superintending Engineer in the light of the facts stated in Ext. P9.

4. A statement has been filed on behalf of the respondent furnishing the reasons for issuing Exts. P6

and P7.

5. In the circumstances, I feel that interest of justice requires that the Superintending Engineer of the respondent shall consider the contentions raised by the petitioner in Ext. P9 and pass fresh orders with regard to the request for posting the petitioner in the Civil Circle at Calicut. This shall be done within one month from the date of receipt of a copy of the judgment.

The writ petition is disposed of accordingly.

K.K. DENESAN
JUDGE

jan/